(171)

HIGH COURT OF CHHATTISGARH AT BILASPUR
Writ Petition No. 411 of 2006

Petitioners

1. Smt. Damyanti Chauhan w/o Sunder Lal Chauhan, aged 43 years, R/o Q.N. 66, Valmiki Ambedkar Colony, P. Ravishankar Sukl Nagar, Korba, Distt. Korba C.G.
2. Smt. Suman Bareth, W/o Rameshwar Bareth, aged 19 years, R/o Q. N. 84, Valmiki Ambedkar Colony, P. Ravishankar Sukl Nagar, Korba, Distt. Korba C.G.
3. Smt. Kara Bai W/o Laxman Das Mahant, aged 40 years, R/o Q.N. 95, Valmiki Ambedkar Colony, P. Ravishankar Sukl Nagar, Korba, Distt. Korba C.G.
4. Smt. Geeta Bareth W/o Jagdish Bareth, aged about 45 years, R/o Q.N. 65, Valmiki Ambedkar Colony, P.Ravishankar Sukl Nagar, Korba, Distt. Korba C.G.
5. Smt. Samund Bhardwaj W/o Gurudeo Bhardwaj, aged 24 years, R/o Q.N. 86, Valmiki Ambedkar Colony, P. Ravishankar Sukl Nagar, Korba, Distt. Korba C.G.
6. Smt. Geeta Shrivastava W/o Abhisek Sinha, aged 54 years, R/o Q.N. 80, Valmiki Ambedkar Colony, P.Ravishankar Sukl Nagar, Korba, Distt. Korba C.G.
7. Smt. Ram Bai W/o Dhani Ram, aged about 45 years, R/o Q.N. 54, Valmiki Ambedkar Colony, P.Ravishankar Sukl Nagar, Korba, Distt. Korba C.G.
8. Smt. Anita Singh W/o Abhay Raj, aged 35 years, R/o Q.N. 35, Valmiki Ambedkar Colony, P.Ravishankar Sukl Nagar, Korba, Distt. Korba C.G.
9. Smt. Ganga Bai W/o Heera Gir, aged about 42 years, R/o Q.N. 38, Valmiki Ambedkar Colony, P. Ravishankar Sukl Nagar, Korba, Distt. Korba C.G.
10. Smt. Kero Bai W/o Juthail Sahu, aged about 58 years, R/o Q.N. 48, Valmiki Ambedkar Colony, P.Ravishankar Sukl Nagar, Korba, Distt. Korba C.G.
11. Smt. Shyam Bai W/o Narayan Sahu, aged 35 years, R/o Q.N. 36, Valmiki Ambedkar Colony, P.Ravishankar Sukl Nagar, Korba,

(172)

Distt. Korba C.G.

12. Smt. Hirmaniya Kumhar W/o Amar Singh Kumhar, aged about 35 years, R/o Q.N.75, Valmiki Ambedkar Colony, P.Ravishankar Sukl Nagar, Korba, Distt. Korba C.G.

13. Smt. Boond Kunwer Chauhan W/o Late Murari Chauhan, Aged about 48 years, R/o Q.N.31, Valmiki Ambedkar Colony, P.Ravishankar Sukl Nagar, Korba, Distt. Korba C.G.

Versus

Respondents

1. Municipal Corporation, Korba, Through, The Commissioner, Korba, Distt. Korba C.G.
2. State of Chhattisgarh, through Secretary Department of Local Government, D.K.S. Bhawan, Raipur C.G.

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

(SB: Hon'ble Mr. Satish K. Agnihotri, J.)

Shri M.K. Beg, Advocate for the petitioners.
Shri Sanjay K. Agrawal, Advocate for the respondent No. 1.
Shri Sumesh Bajaj, Govt. Advocate for the respondent No. 2.

ORDER

(Passed on this 31st day of August, 2007)

1. The petitioners admittedly have occupied the accommodations without any authorization, forcibly. The State Government under the Valmiki-Ambedkar Awas Yojna decided to grant alternative accommodations to the residents of Valmiki-Ambedkar Colony on a payment of nominal amount. Accordingly, the petitioners were granted alternative accommodations, as described in the document Annexure R/2-2. It has been stated that some of the persons have already taken possession in the alternative site. The petitioners, despite having been granted alterative accommodations, are continuing in occupation unauthorizedly at the houses in Valmiki-Ambedkar colony. The petitioners have not

pointed out any document or any order in support of their right over the houses in which they are residing in Valmiki-Ambedkar colony.

2. Learned counsel appearing for the petitioners submits that the petitioners accommodations in Valmiki-Ambedkar colony is unathorized, but they were given to understand that they would be granted accommodations there, where they are residing.

3. There is nothing, except the self-same statement. Moreover the petitioners have already been granted alternative accommodations, as described in the document Annexure R/2-2. Thus, the petitioners have no right to continue unathorizedly in the houses where they are residing at present.

4. In view of the foregoing, this writ petition is dismissed. No order as to costs.

Sd/-
S.K. Agnihotri
Judge

B/-